Case 1:15-cr-00867-RMB Document 516 Filed 05/14/18 Page 1 of 1



United States Attorney Southern District of New York

The Silvio J. Mollo Building One Saint Andrew's Plaza New York, New York 10007

May 14, 2018

BY ECF

Honorable Richard M. Berman United States District Judge Southern District of New York Daniel Patrick Moynihan U.S. Courthouse 500 Pearl Street New York, New York 10007

Dear Judge Berman:

The Government writes to correct an error in its April 4, 2018 sentencing submission. The submission described a 3-level enhancement pursuant to Section 3C1.1 of the Sentencing Guidelines for the defendant's obstruction of justice, but the enhancement under Section 3C1.1 is a 2-level increase.

This correction does not affect the properly calculated Guidelines range in this case. The change from a 3-level to a 2-level enhancement results in a total offense level of 53 rather than 54. Pursuant to Chapter 5, Part A, cmt. n. 2, this is treated as a total offense level of 43, corresponding to a sentencing range limited by the applicable statutory maximums to a term of 105 years' imprisonment. The correction would affect the so-called "alternate" sentence range pursuant to Section 2S1.1(a)(1), resulting in an alternate total offense level of 35 rather than 36, corresponding to an alternate sentencing range of 168 to 210 months' imprisonment.

This change does not affect the Government's analysis of the sentencing factors or its position on the appropriate sentence as set forth in the April 4, 2018 sentencing submission.

Respectfully submitted,

GEOFFREY S. BERMAN United States Attorney

by: /s/
Michael D. Lockard / Sidhardha Kamaraju /
David W. Denton, Jr.
Assistant United States Attorneys
(212) 637-2193/6523/2744